

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1063382

TYPE

CR

DATE OF REPORT

29-JAN-2014

INSTRUCTIONS: To be used in all cases that are to be classified as EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
PRIETO, DENNIS	9182	174		113	

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: S. INGLESIDE AVE, CHICAGO, IL 60615	DATE / TIME: 08-JUL-2013 19:07	BEAT: 222
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY?	SWORN ?
	9161	4339		145		M / BLK		02-MAY-1994	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
	BUCHANAN STREET	GARY, IN		M / BLK	/ 29

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		M / BLK	/
		T GARY, IN		M / BLK	/ 29

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
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* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS. FAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

See Report

SUMMARY

See Report

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	9, 13, 14, 25.		27

FINDINGS - RECOMMENDATIONS

Accused: Officer Maurice Burks, # 4839

Allegation # 1 Not Sustained

Allegation # 2-3 Exonerated

Allegation # 4: Unfounded


IPRA Supervisor, M.E. Olvera

DATE INITIATED
(Date incident was received for investigation)

11-JUL-2013

DATE COMPLETED (Date of this report)

29-JAN-2014

ELAPSED TIME
(Total time expressed in days)

202

Investigator will initiate the Command Channel Review form by
Completing the Investigator's Section.

Allegations:

On 09 July 2013, at approximately 1008 hours, the Reporting Party Victim, [REDACTED] contacted Independent Police Review Authority and registered this complaint with intake-aide, [REDACTED]

It is alleged by the Reporting Party Victim, [REDACTED] and his cousin, **Rahaan Watts** that on 08 July 2013, at approximately 1946 hours, in the vicinity of [REDACTED] S. Ingleside and 47th Street and Drexel , **Officer Maurice Burks # 4339**:

1. Tapped his gun on the driver's side window;
2. Pointed his gun at [REDACTED]
3. Pointed his gun at [REDACTED]
4. Searched Mr. [REDACTED] vehicle without legal justification.

INVESTIGATION:

In a statement to the Independent Police Review Authority (IPRA), Mr. [REDACTED] related allegations as listed in the allegation section.

In his statement, Mr. [REDACTED] stated that he and his cousin, [REDACTED] were in a parked car at Ingleside and 47th Street. It was raining heavily and they decided to wait for the rain to subside. Mr. [REDACTED] stated he was seated in the front passenger side of his vehicle while his cousin was in the back seat. Mr. [REDACTED] further stated that a uniformed, black male police officer, now known as Maurice Burks, approached the driver's side window with his gun drawn. Officer Burks tapped on the window and instructed Mr. [REDACTED] and Mr. [REDACTED] to exit to which they complied.

Officer Burks gave Mr. [REDACTED] his handcuffs and instructed him to handcuff himself to his cousin's wrist. Officer Burks searched them, escorted them back to his vehicle, and placed them in the rear seat of his vehicle. Officer Burks ran a name check via his radio. Once they cleared, he wrote Mr. [REDACTED] two traffic related citations: one for driving/moving vehicle in unsafe condition and the other for a broken tail light. After the officer wrote the citations to Mr. [REDACTED] he told Mr. [REDACTED] and Mr. [REDACTED] that they could go. Mr. [REDACTED] added while at 47th and Ingleside, Officer Burks did not search his vehicle.

Mr. [REDACTED] further stated after he dropped off Mr. [REDACTED] at his residence, Officer Burks stopped him again at 47th Street and Drexel and searched his vehicle looking for drugs. Mr. [REDACTED] said he initially objected to Officer Burks searching his car but then he told Officer Burks he could search his vehicle. (Att's 8, 9)

In a statement to the Independent Police Review Authority (IPRA), Mr. [REDACTED] essentially corroborated the accounts of Mr. [REDACTED]. Mr. [REDACTED] reiterated what Mr. [REDACTED] had said regarding the initial encounter. However, Mr. [REDACTED] stated that he was not present when the officer stopped his cousin later at 47th Street and Drexel. He added he had no knowledge as to what happened there. (Att 19)

During his statement to IPRA, Mr. [REDACTED] presented his copies of the traffic citations he was issued on 8 July 2013. Both citations were written by Officer Burks. (Att 9)

The Assignment and Attendance Sheet of Unit 145 reflected that Officer Maurice Burks was assigned to the 3rd Watch in Traffic Enforcement. (Att 13, 14)

In a report submitted by Officer Maurice Burks he stated that a citizen he identified as "Ms. [REDACTED]" flagged him down and told him that drugs were being sold from Mr. [REDACTED] vehicle. Ms. [REDACTED] added they are known to carry weapons while doing drug deals. Officer Burks stated that he observed three individual approached the vehicle at different times place their hand into the vehicle and left with something. Mr. [REDACTED] was seated in the front passenger seat while Mr. [REDACTED] was seated in the back seat. Because he was alone, the vehicle had tinted windows, and due to officer's safety, he approached the vehicle with his weapon pointed at both Mr. [REDACTED] and Mr. [REDACTED]. Officer Burks denied that he tapped Mr. [REDACTED]'s car window with his weapon. Once they exited the vehicle, Officer Burks stated that he searched them for weapons and drugs. Officer Burks added that Mr. [REDACTED] and Mr. W [REDACTED] are known as the local drug dealers.

Officer Burks stated he did not search Mr. [REDACTED] vehicle while it was parked at 4700 S. Ingleside. Officer Burks wrote Mr. [REDACTED] two citations, one for driving/moving an unsafe vehicle and the other for no tail lights.

A short time later Officer Burks stopped Mr. B [REDACTED] vehicle again at 47th Street and Drexel. Officer Burks stated that he had adequate assistance and consequently, Officer Burks stated that he did search Mr. [REDACTED] vehicle at that time. Officer Burks stated that the vehicle had a trap compartment but there was no weapon or drugs found. (Att 25)

Conclusion:

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegation 1** against **Officer Maurice Burks** in that he tapped on the driver's side window of Mr. [REDACTED] vehicle with his gun. Officer Burks denied that he tap the driver's side window of Mr. [REDACTED] vehicle with his gun. The Reporting Investigator can not prove and disprove that Office Burks tapped his gun on Mr. [REDACTED] driver's side window.

The Reporting Investigator recommends a finding of **Exonerated** for **Allegations 2-3** against Officer Maurice Burks in that he pointed his gun at Mr. [REDACTED] and Mr. [REDACTED]. Officer Burks acknowledged that he approached Mr. [REDACTED] vehicle with his weapon drawn and pointed at Mr. [REDACTED] and Mr. [REDACTED] because he could not see their hands and the vehicle had tinted windows. In addition, Officer Burks received prior information from a citizen who told him that the occupants of the vehicle were selling drugs and they are known to carry guns. In addition, he observed what he believed to be three drug transactions between the occupants of the vehicle and unknown subjects who approached and reached into the vehicle. Given the totality of the circumstances, the Reporting Investigator finds that Officer Burks was justified when he pointed his weapon at Mr. [REDACTED] and Mr. [REDACTED].

The Reporting Investigator recommends a finding of **Unfounded** for **Allegation 4** Against Officer Maurice Burks when he stopped Mr. [REDACTED] vehicle a second time at 47th Street and Drexel. Officer Burks denied that he searched Mr. [REDACTED] vehicle during his initial encounter with Mr. [REDACTED] at [REDACTED] S. Ingleside. Mr. Baker corroborated Officer Burks's assertion that he did not search his vehicle at that time. However, Officer Burks admitted to searching Mr. [REDACTED] vehicle when he stopped it again. Officer Burks was provided with information from a citizen that drugs were being sold out of Mr. [REDACTED] vehicle and Officer Burks observed what he believed to be drug transactions; therefore, he had probable cause to search Mr. [REDACTED] vehicle but because he was alone he did not search it. However, at the second location, Officer Burks had assistance and he stopped Mr. [REDACTED] vehicle suspecting that a crime had been on-going and he searched Mr. [REDACTED] vehicle. Mr. [REDACTED] said he initially objected to Officer Burks searching his vehicle but he changed his mind and gave Officer Burks permission to search his vehicle.


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Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05P UNNECESSARY DISPLAY OF WEAPON / ON DUTY	-	TRAFFIC	-	-	-	-	-

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Log No: 1063382 Type:CR

Accused Members

Review Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
View BURKS JR, MAURICE	CLOSED/FINAL	NOT SUSTAINED	-	-	-	09-JUL-2013	N/A

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Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View 1	FACE SHEET	N/A	-	-	-	HEARD, LORRAINE	JUL-09-2013 10:08	-	-	-
View 2	CONFLICT CERTIFICATION	N/A	-	-	-	OLVERA, MARIA	JUL-11-2013 10:38	-	-	-
View 3	CONFLICT CERTIFICATION	N/A	-	-	-	PRIETO, DENNIS	JUL-11-2013 15:13	-	-	-
View 4	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18-2013 11:00	APPROVED	-	YES
View 5	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18-2013 11:00	APPROVED	-	YES
View 6	PHOTO IDENTIFICATION	N/A	1	Copy of Illinois ID card for Michael Lawrence [REDACTED] Jr.	-	BRUMFIELD, LUCILLE	JUL-18-2013 11:01	APPROVED	-	YES
View 7	AUDIO INTERVIEW	N/A	1	Audio interview of [REDACTED]	YES	PRIETO, DENNIS	JUL-12-2013 14:22	APPROVED	-	YES
View 8	INTERVIEW - VICTIM	N/A	25	Transcript Statement of [REDACTED]	-	CULBERSON HAYNE, ANGELA	AUG-12-2013 08:57	APPROVED	-	YES
View 9	TRAFFIC CITATION	N/A	2	-	-	BRUMFIELD, LUCILLE	JUL-18-2013 11:03	APPROVED	-	YES

View	10	GPS DATA	N/A	7	Location: [REDACTED] S. Ingleside Ave., From: 08 July 2013	-	BRUMFIELD, LUCILLE	JUL-18- 2013 11:04	APPROVED	-	YES
View	12	REPORT (OTHER)	N/A	1	In-car video request	-	BRUMFIELD, LUCILLE	JUL-18- 2013 11:04	APPROVED	-	YES
View	13	ATTENDANCE AND ASSIGNMENT RECORD	N/A	2	3rd Watch, Unit 145, 08 July 2013	-	BRUMFIELD, LUCILLE	JUL-18- 2013 11:05	APPROVED	-	YES
View	14	REPORT (OTHER)	N/A	1	CLEAR Data Warehouse Watch Information	-	BRUMFIELD, LUCILLE	JUL-18- 2013 11:06	APPROVED	-	YES
View	15	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	Rahmaan [REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18- 2013 11:07	APPROVED	-	YES
View	16	SWORN AFFIDAVIT - NO COOPERATION	N/A	1	Rahmaan [REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18- 2013 11:08	APPROVED	-	YES
View	17	PHOTO IDENTIFICATION	N/A	1	Copy of Illinois ID card for Rahmaan [REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18- 2013 11:09	APPROVED	-	YES
View	18	AUDIO INTERVIEW	N/A	1	Audio Interview of Rahmon [REDACTED]	YES	PRIETO, DENNIS	JUL-15- 2013 16:40	APPROVED	-	YES
View	19	INTERVIEW - VICTIM	N/A	20	Transcript Statement of Rahmaan [REDACTED]	-	CULBERSON HAYNE, ANGELA	AUG-13- 2013 10:06	APPROVED	-	YES
View	20	TO/FROM REPORT	N/A	2	Outline of Digital Recording for Rahmaan [REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18- 2013 11:10	APPROVED	-	YES
View	21	REPORT (OTHER)	N/A	1	In-car camera request.	YES	PRIETO, DENNIS	JAN-29- 2014 14:18	APPROVED	-	YES
View	22	REPORT (OTHER)	N/A	2	Negative in- car camera results.	YES	PRIETO, DENNIS	AUG-07- 2013 16:48	APPROVED	-	YES
View	23	ACCUSED NOTIFICATION OF ALLEGATIONS FOR BURKS JR, MAURICE	ACCUSED - BURKS JR, MAURICE	-	-	-	PRIETO, DENNIS	NOV-08- 2013 16:00	ALLEGATIONS CHANGED	-	-
View	24	REPORT (OTHER)	N/A	3	CLEAR Acknowledge Notification for Log Number 1063382	-	BRUMFIELD, LUCILLE	DEC-19- 2013 10:58	APPROVED	-	YES
View	25	ACCUSED REPORT	N/A	3	PO Maurice Burks, Jr., #4339	-	BRUMFIELD, LUCILLE	DEC-19- 2013 11:00	APPROVED	-	YES
View	26	REPORT (OTHER)	N/A	1	Attempt to verify information submitted by Officer Burks.	YES	PRIETO, DENNIS	JAN-28- 2014 09:39	APPROVED	-	YES

View	27	OEMC UNIT QUERY	N/A	2	Unit Query for Beat 3211.	YES	PRIETO, DENNIS	FEB-11-2014 12:15	APPROVED	-	YES
View	28	OEMC UNIT QUERY	N/A	2	unit Query for Beat 223.	YES	PRIETO, DENNIS	FEB-11-2014 12:16	APPROVED	-	YES
View	29	OEMC EVENT QUERY	N/A	1	Event Query for Beat 223.	YES	PRIETO, DENNIS	FEB-11-2014 12:18	APPROVED	-	YES
View	30	OEMC UNIT QUERY	N/A	1	Unit Query for Beat 266C.	YES	PRIETO, DENNIS	FEB-11-2014 12:19	APPROVED	-	YES
View	31	INVESTIGATOR CASE LOG	N/A	1	Investigator's Case Log submitted for review.	YES	PRIETO, DENNIS	FEB-11-2014 12:20	APPROVED	-	YES
View	-	SUMMARY REPORT DIGEST	N/A	5	-	NO	OLVERA, MARIA	FEB-20-2014 15:03	APPROVED	-	YES

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Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents

☒ **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History

☒ **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED/FINAL	31-MAR-2014 12:05	HAZBIC, AMRA	CLERK 3		113 / -	-
PENDING IMPLEMENT ACTION	28-MAR-2014 15:54	GEORGAS, STEVE	DEP CHIEF		142 / -	-
PENDING COMMAND CHANNEL REVIEW	24-MAR-2014 13:58	MOY-BARTOSIK, LUCILLE	COMMANDER		124 / 142	-
PENDING COMMAND CHANNEL REVIEW	24-MAR-2014 12:11	SUSNIS, MAUREEN	SERGEANT OF POLICE		121 / -	-
PENDING ADVOCATE REVIEW	24-MAR-2014 12:09	SUSNIS, MAUREEN	SERGEANT OF POLICE		121 / -	-
PENDING COMMAND CHANNEL REVIEW	27-FEB-2014 10:17	SUSNIS, MAUREEN	SERGEANT OF POLICE		121 / -	-
PENDING ADVOCATE REVIEW	27-FEB-2014 09:42	DEL VALLE, NOEL	POLICE AGENT		121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	24-FEB-2014 12:27	HAZBIC, AMRA	CLERK 3		113 / -	-
CLOSED AT C.O.P.A.	24-FEB-2014 12:25	HAZBIC, AMRA	CLERK 3		113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE	20-FEB-2014	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-

ONLY)	15:03					
PENDING INVESTIGATIVE REVIEW	20-FEB-2014 14:36	PRIETO, DENNIS	INVESTIGATOR 2 COPA		113 / -	-
PENDING INVESTIGATION	20-FEB-2014 14:26	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	11-FEB-2014 12:22	PRIETO, DENNIS	INVESTIGATOR 2 COPA		113 / -	-
PENDING INVESTIGATION	11-FEB-2014 11:41	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	29-JAN-2014 14:36	PRIETO, DENNIS	INVESTIGATOR 2 COPA		113 / -	-
PENDING INVESTIGATION	11-JUL-2013 10:38	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN INVESTIGATOR	10-JUL-2013 15:41	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	Type Changed from INFO to CR on 10-JUL-2013 15:41 by STOUTENBOROUGH, ANDREA Affidavit information for this Log Number has changed on 10-JUL-2013 15:41 by STOUTENBOROUGH, ANDREA
PENDING ASSIGN TEAM	09-JUL-2013 14:39	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR		113 / -	-
PENDING SUPERVISOR REVIEW	09-JUL-2013 10:39	HEARD, LORRAINE	POLICE AIDE		716 / 113	-
PRELIMINARY	09-JUL-2013 10:08	HEARD, LORRAINE	POLICE AIDE		716 / 113	-

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Command Channel Reviewers

Accused Name	Sequence No.	Reviewer
BURKS JR, MAURICE 1		MOY-BARTOSIK, LUCILLE
BURKS JR, MAURICE 2		GEORGAS, STEVE

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